

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
 )  
Revision of the Commission's Rules )  
to Ensure Compatibility with )  
Enhanced 911 Emergency Calling Systems )

CC Docket No. 94-**FCC MAIL ROOM**

94-1021

**DOCKET FILE COPY ORIGINAL**

To: The Commission

**COMMENTS OF THE STATE OF NEW JERSEY  
OFFICE OF EMERGENCY TELECOMMUNICATIONS SERVICES  
AND  
THE NEW JERSEY STATE 9-1-1 COMMISSION**

The New Jersey Office of Emergency Telecommunications Services (OETS) and the New Jersey State 9-1-1 Commission, hereafter "the State" hereby submits the following comments for consideration by the Commission in the evaluation of Requests for Waivers submitted by covered carriers of CC Docket No. 94-102.

Public Safety Answering Points (PSAPs) throughout New Jersey have struggled with the problems associated with 9-1-1 calls placed from wireless phones since the deployment of New Jersey's Statewide Enhanced 9-1-1 Network in 1991. PSAPs throughout the state have reached critical 9-1-1 call volume levels as calls from wireless telephones approach, or in some counties exceeded 50% of the total number of 9-1-1 calls. It has been estimated that the number of calls from wireless phones in New Jersey will likely exceed 4.5 million in year 2001.

In October 1994 the State was gratified that the FCC recognized the disparity between wireline and wireless enhanced 9-1-1 features and, following their charge of promoting safety of life and property through the use of wire and radio communication, took necessary action by issuing the Notice of Proposed Rule Making CC Docket 94-102. The NPRM recognized that wireless 9-1-1 services are inferior to the wireline 9-1-1 services that users have come to expect, specifically, wireless 9-1-1 calls do not provide the PSAP with the caller's location. In 1994 the NPRM accurately stated that the number of calls to 9-1-1 from wireless users was increasing rapidly, furthermore, the NPRM estimated that as many as 10% of all 9-1-1 calls originate from wireless subscribers. It is the State's assertion that what was identified by the FCC in 1994 as a public policy concern, while representing 10 % of the total 9-1-1 calls, is now the Nation's most critical public safety deficiency as we approach the 50% saturation point.

In January 1997, six months after the FCC Report and Order, the State of New Jersey participated in a live wireless enhanced 9-1-1 trial which demonstrated technology capable of locating wireless 9-1-1 callers. The State finds it hard to believe that in July 2001 some covered carriers are asserting that technology does not exist to meet the locational accuracy requirement of CC Docket 94-102. The State urges the Commission to carefully evaluate all assertions made in a covered carrier's Request for Waiver as it relates to the availability of existing technology, the results of any testing conducted by a carrier on existing technology, and their claims as to the accuracy of any proposed locational solutions, whether interim or permanent. The State further requests that if the FCC finds it necessary to grant any covered carrier's Waiver Request that the carrier be required

to establish and adhere to an acceptable timeline for compliance to the locational accuracy requirement. Finally, the States urges the FCC to require any covered carrier that is basing their Waiver Request on the transition to a new network, such as GSM, that the carrier be required to meet the locational requirements of CC Docket 94-102 on it's legacy network.

The State of New Jersey recommends the FCC recognize there has been ample time for carriers to comply with CC Docket 94-102 and not grant any carrier's Waiver Request until all facts are carefully investigated. Waivers of the established requirements cannot be allowed to weaken safety provisions afforded an ever-increasing mobile citizenry. There must be a "freeze" point where planning ends and implementation begins. The FCC set that date to be October 1, 2001. New Jersey strongly recommends that date be observed.

Respectfully submitted,

By Adel W. Ebeid

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